



**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**CRM-M-16598-2025  
DECIDED ON: 26.03.2025**

**AMANDEEP SINGH @ AMAN**

**.....PETITIONER**

**VERSUS**

**STATE OF PUNJAB AND OTHERS**

**.....RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.**

Present: Mr. B.S. Jaswal, Advocate for the petitioner.

Mr. Jaspal Singh Guru, AAG Punjab.

**SANDEEP MOUDGIL, J**

1. By way of instant petition jurisdiction of this Court has been sought to be invoked under Section 483(3) BNSS for cancellation of anticipatory bail granted to respondent No.2 vide order dated 07.02.2025 (Annexure P-5) in FIR No.258, dated 24.12.2024, under Sections 103/115(2)/118(1)/191(3)/190 of BNS, 2023 and Sections 25/27 of Arms Act, 1959 (Annexure P-1), registered at Police Station Lopoke, District Amritsar.
2. Learned counsel for the petitioner would submit that the respondent No.2-Simranjit Singh has got the concession of anticipatory vide order dated 07.02.2025 (Annexure P-5) .
3. He further argues that respondent No.2 after getting the concession of anticipatory bail, threatened the petitioner and his family members and on 15.02.2025 and he along with his father Bakshish Singh blocked the way of the petitioner and further asked him to withdraw the

above-said FIR.

He argued that a murder case has been registered against respondent No.2 and other co-accused, thus, there is every possibility that they can harm the petitioner and his family members, therefore, a prayer for cancellation of anticipatory bail granted to respondent No.2 has been made.

4. Heard the learned counsel for the petitioner.

5. This Court, while hearing the counsel for the petitioner had the occasion to go through the order dated 07.02.2025 (Annexure P-5) passed by this Court, wherein the concession of anticipatory bail was granted by recording the reasons that respondent No.2 was not the main accused and granted him the opportunity to associate himself with the investigation so that final report can be submitted before the trial Court concerned.

6. Thereafter, he joined the investigation and till date no such application for the cancellation of the bail granted to respondent No.2 has been moved by the State to show that after the grant of anticipatory bail, respondent No.2 has tried to misuse the concession or any way has threatened the persons acquainted with the facts of the case. Merely, making of a statement by the petitioner that respondent No.2 after the grant of anticipatory bail has extended threats to his life and liberty does not warrant that his bail be cancelled when he has failed to put forth any evidence in regard to the extending of threat.

7. Though, there is no straight jacket formula exists to assess the application for grant or rejection of bail but determination of whether a case is fit for grant of bail or not involves balancing of numerous factors among which nature of offence, severity of punishment and prima facie view of the involvement of accused are of utmost importance.

8. I am of the firm view that very cogent and overwhelming circumstances or ground are required to cancel the bail already granted. Ordinarily, unless a strong case based on any supervening event is made out an order granting bail is not be lightly interfered with under Section 483(3) BNSS, 2023. While considering the petition for cancellation of bail, a Court shall bear in mind that:-

- a) the accused misuses his liberty by indulging in similar criminal activity,*
- b) interferes with the course of investigation,*
- c) attempts to tamper with evidence or witnesses,*
- d) threatens witnesses or indulges in similar activities which would hamper smooth investigation,*
- e) there is likelihood of his fleeing to another country,*
- f) attempts to make himself scarce by going underground or becoming unavailable to the Investigating Agency and*
- g) attempts to place himself beyond the reach of his surety, etc.*

9. It is thus clear before this Court that when a person to whom bail has been granted either tries to interfere with the course of justice or attempts to tamper with evidence or witnesses or threatens witnesses or indulges in similar activities which would hamper smooth investigation or trial, bail granted can be cancelled.

10. The Supreme Court of India in ***Bhuribai vs. State of Madhya Pradesh in criminal appeal No.1972 of 2022*** elaborating the powers of the Court for cancellation of bail held that it cannot be approached as if of disciplinary proceedings against accused and such power of cancellation of bail should be exercised with extreme care and circumspection and such cancellation cannot be ordered merely for any perceived indiscipline on part of accused before granting bail.

11. Coming back to the case in hand, I am of the firm view after having examining the arguments and the order of granting anticipatory bail 07.02.2025 (Anneuxre P-5), that it cannot be inferred at all from the reasons seeking cancellation of bail as put forth by the learned counsel for the petitioner that respondent No.2 accused had misused the liberty or had violated any of the conditions as envisaged under Section 482(2) BNSS, 2023.

12. In totality of the circumstances discussed hereinabove, I am unable to agree with the contention raised by the learned counsel for the petitioner and therefore, the petition stands dismissed being devoid of merits.

13. Ordered accordingly.

(SANDEEP MOUDGIL)  
JUDGE

26.03.2025

*Poonam Negi*

*Whether speaking/reasoned*      *Yes/No*

*Whether reportable*              *Yes/No*